

Applicants: Powell *et al.*
U.S.S.N. 09/766,863

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (presently amended) A method of identifying the function of a test compound, the method comprising:

providing at least three mammalian cell types, wherein the cell types comprise osteosarcoma, astrocytoma, erythroleukemia, hepatoma, monocytic, endothelial, fibroblast, T-cell, monocyte, B-cell, NK-cell, normal human osteoblast, astrocyte, hepatocyte and normal human lung fibroblast cell types;

contacting each of the cell types with a test compound; and

measuring expression of one or more genes in each cell type;

wherein an alteration in the expression of said one or more genes in each cell type in the presence of the test compound relative to the expression of said one or more genes in each cell type in the absence of the test compound indicates the function of said test compound.

2. (previously amended) The method of claim 1, wherein expression of at least two genes is measured in each cell type.

3. (previously amended) The method of claim 1, wherein expression of at least five genes is measured in each cell type.

4-5. (previously cancelled)

6. (previously amended) The method of claim 1, wherein said method further comprises measuring the expression of one or more genes in a fourth cell type.

7. (previously amended) The method of claim 1 or 6, wherein said method further comprises measuring the expression of three or more genes in each cell type.

8-9. (previously cancelled)

10. (previously amended) The method of claim 1, wherein said cell types are provided in a container.
11. (original) The method of claim 1, wherein expression of one or more of said genes is compared to expression of a reference gene.
12. (original) The method of claim 11, wherein said test compound modulates expression of said one or more genes at least four-fold relative to said reference gene.
13. (original) The method of claim 1, wherein said test compound is a polypeptide.
14. (previously amended) The method of claim 1, wherein said method comprises contacting the cell types with two or more test compounds.
15. (previously amended) The method of claim 1, wherein said cell types comprise human cells.
16. (previously cancelled)
17. (previously amended) The method of claim 1, wherein said three cell types are selected from the group consisting of MG-63 cells, U87-MG cells, TF-1 cells, HepG2 cells, THP-1 cells, HUVEC cells, CCD-1070SK cells, and Jurkat E6-1 cells.
18. (original) The method of claim 1, wherein expression of one or more sequences is measured using real-time polymerase chain reaction.

19. (presently amended) A method of identifying the function of a polypeptide test compound, the method comprising:
Providing at least three mammalian cell types, wherein the cell types comprise osteosarcoma, astrocytoma, erythroleukemia, hepatoma, monocytic, endothelial, fibroblast, T-

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cell, monocyte, B-cell, NK-cell, normal human osteoblast, astrocyte, hepatocyte and normal human lung fibroblast cell types;

contacting each of the cell types with said polypeptide; and

measuring expression of three more genes in each cell type,

wherein an alteration in the expression of said genes in each cell type in the presence of the polypeptide relative to the expression of said genes in each cell type in the absence of the test compound indicates the function of said test compound.

20. (original) The method of claim 19, wherein expression of said genes is measured using real-time polymerase chain reaction.

REMARKS

Claims 1-3, 6-7, 10-15 and 17-20 are pending in the application. Claims 1 and 19 have been amended. No new matter has been added.

Rejections under U.S.C. 103(a)

The Examiner has maintained rejections to the claims under Johnson and Kamb. The Examiner alleges that Johnson teaches more than three mammalian cell types of which two cell types are hepatoma and hepatocyte cell types. (See Advisory Action, page 2). The Examiner alleges that this teaches the limitations of the claims.

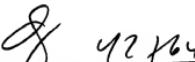
To facilitate prosecution, Applicants have amended claims 1 and 19 to delete reference to hepatoma and hepatocyte cell types. The combination of Johnson and Kamb do not teach the claimed invention. Applicants therefore request that this rejection be withdrawn.

CONCLUSION

Applicants submit that the claims as here amended put the application in condition for allowance, and such action is respectfully requested.

Should any questions or issues arise concerning the application, the Examiner is invited and encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,


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